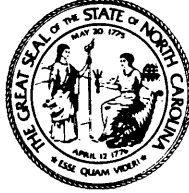


**Joint Legislative Public Assistance Commission**

**Report to the  
1997 General Assembly of North Carolina  
1998 Regular Session**

**May 11, 1998**

NORTH CAROLINA GENERAL ASSEMBLY  
STATE LEGISLATIVE BUILDING  
RALEIGH 27603



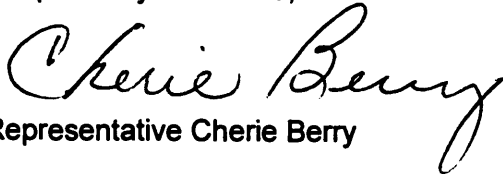
**To the honorable Harold Brubaker, Speaker of the House of Representatives; and the Honorable Marc Basnight, President Pro Tempore of the Senate; and the Members of the 1997 General Assembly ( Regular Session 1998):**

The Joint Legislative Public Assistance Commission submits for your consideration the following bills pursuant to Part XII of S.L. 1997-443 (S 352).

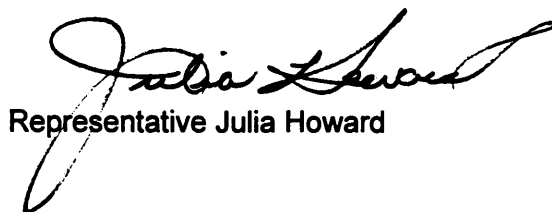
The 1997 Regular Session established the Joint Legislative Public Assistance Commission (JLPAC) with a membership of ten House and ten Senate members to monitor implementation and make any necessary recommendations to the General Assembly regarding any further changes to law or rule. The Joint Legislative Public Assistance Commission was also charged with receiving a number of reports with regard to welfare reform.

The JLPAC met September 29, 1997, October 28, 1997, December 3, 1997, January 14, 1998, March 2, 1998, March 23, 1998, and May 18, 1998. Much debate centered around the intent of the legislation; the JLPAC gave direction to the Department of Health and Human Services regarding this intent. The subject of Biometric Imaging was discussed at almost every meeting as this is a key piece of the legislation establishing a method for accurately tracking recipients of any public assistance. A number of other topics were discussed concerning changes that needed to be made to the legislation this session. Some of the recommendations are contained in the attached proposed bills. The substance of these debates concerning necessary changes are contained in the minutes of the JLPAC.

Respectively submitted,

  
Representative Cherie Berry

  
Senator Bill Martin

  
Representative Julia Howard

  
Senator Jim Phillips



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE DRH3068\*-LFZ030(5.14)

Short Title: Welfare Law Corrections.

(Public)

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Sponsors: Representatives Howard and Berry

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE CERTAIN CORRECTIONS TO THE WELFARE LAWS, AS  
3 RECOMMENDED BY THE JOINT LEGISLATIVE PUBLIC ASSISTANCE  
4 COMMISSION. The General Assembly of North Carolina enacts:

5 Section 1. (a) G.S. 108A-27.9(a) reads as rewritten:

6 "(a) The Department shall prepare and submit to the Director of the Budget, in  
7 ~~accordance with the procedures established in G.S. 143-16.1 for federal block grant~~  
8 ~~funds, Budget~~ a biennial State Plan that proposes the goals and requirements for the  
9 State and the terms of the Work First Program for each fiscal year. Prior to  
10 submitting a State Plan to the General Assembly, the Department shall submit the  
11 State Plan to the Joint Legislative Public Assistance Commission for its review and  
12 then consult with local governments and private sector organizations regarding the  
13 design of the State Plan and allow 45 days to receive comments from them."

14 (b) Section 12.20(b) of S.L. 1997-443 reads as rewritten:

15 " (b) The requirement that the Department prepare and submit the State Plan to  
16 the General Assembly for approval ~~in accordance with the procedures set forth in~~  
17 ~~G.S. 143-16.1 as prescribed in G.S. 108A-27.9(a)~~ shall not be applicable for fiscal year  
18 1997-98. Until the counties have prepared their county plans and the State has  
19 prepared the State Plan in accordance with this Part and that State Plan has been  
20 enacted by the General Assembly and it becomes law, the provisions of the State Plan  
21 submitted to the federal government on October 16, 1996, shall remain in effect.  
22 State Plans submitted after the 1997-98 fiscal year shall be enacted by the General  
23 Assembly and become law in order to be effective."

24

25 Section 2. Section 12.36(a) of S.L. 1997-443 reads as rewritten:

Section 12.36. (a) Of the funds appropriated in this act to the Office of State Budget and Management, the sum of five million seventy-five thousand two hundred two dollars (\$5,075,202) for the 1997-98 fiscal year and the sum of three million nine hundred thousand dollars (\$3,900,000) for the 1998-99 fiscal year shall be placed in a Restrictive Reserve to Implement Welfare Reform. These funds shall be allocated from the Reserve as follows:

- (1) \$275,000 for the 1997-98 fiscal year and \$400,000 for the 1998-99 fiscal year to support the establishment of a uniform system of public assistance programs as authorized under G.S. 108A-25.1, and to provide counties with workstations for biometric imaging;
  - (2) \$2,500,000 in each fiscal year to fund program integrity activities in each ~~county~~, county. These funds shall be given to the counties in a lump sum and unexpended funds shall revert to the General Fund;
  - (3) \$500,000 for the 1997-98 fiscal year to establish and support an Office of Inspector General in the Department of Justice;
  - (4) \$300,000 in each fiscal year to establish a pilot project in the Department of Labor for creation of Individual Development Accounts;
  - (5) \$1,500,202 for the 1997-98 fiscal year for the following purposes:
    - a. To establish First Stop Employment Assistance in the Department of Commerce;
    - b. To expand the Labor Market Information System in the Employment Security Commission; and
    - c. To assist the Job Service Employer Committees or the Workforce Development Boards in their completion of the study of the working poor.
- Funds shall not be allocated under this subdivision unless and until the Office of State Budget and Management has certified that federal funds are not available to the Department of Commerce for these purposes; and
- (6) \$700,000 for the 1998-99 fiscal year for the continued support of the Office of Inspector General in the Department of Justice, and for the First Stop Employment Assistance in the Department of Commerce. These funds shall be allocated by the Office of State Budget and Management on the basis of need."

Section 3. This act becomes effective June 30, 1998.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

D

HOUSE DRH3067\*-LFZ029(5.14)

Short Title: Biometrics Technical Corrections.

(Public)

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Sponsors: Representatives Howard and Berry.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE LAW REGARDING THE BIOMETRIC  
3 IDENTIFICATION SYSTEM TO MAKE NECESSARY TECHNICAL  
4 CORRECTIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE  
5 PUBLIC ASSISTANCE COMMISSION.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 108A-25.1 reads as rewritten:  
8 " § 108A-25.1. Recipient identification system.  
9 (a) The Department shall establish and maintain a uniform system in the  
10 Department and in all counties of identifying all Work First, food stamp, and medical  
11 assistance program ~~recipients~~ recipients, except those who are institutionalized adults  
12 and children under the age of 18. This system shall provide security and portability  
13 throughout the State and between the departments within the State involved in  
14 means-tested public assistance programs and shall have the capability of identifying  
15 recipients of assistance from all means-tested programs administered or funded  
16 through the Department.  
17 (b) The identification system established in this section shall use multiple  
18 biometrics to ensure greater than ninety-nine percent (99%) accuracy for  
19 interdepartmental identification.  
20 (c) The Department shall ensure that the biometric identification system will be  
21 compatible with any existing departmental biometric identification system.  
22 (d) The Department shall make biometric identification a condition of eligibility  
23 for Work First, food stamp, and medical assistance programs for all recipients  
24 described in subsection (a) of this section. If any recipient is denied assistance on the  
25 basis of the identification system established in this section, the recipient's whole case,

1 or group of recipients whose eligibility for public assistance is dependent on all the  
2 other group members' financial and nonfinancial situation, shall be denied  
3 assistance."

4 Section 2. Section 12.35 of S.L. 1997-443 reads as rewritten:

5 "Section 12.35. The Department of Health and Human Services shall have the  
6 uniform system of recipient identification established in G.S. 108A-25.1 in place and  
7 operating ~~before October 1, 1998.~~ as soon as possible after federal approval of the  
8 phase-in process. The Department shall implement the start of the phase-in process  
9 no later than October 1, 1999. Except as otherwise provided in this Part, this Part is  
10 effective when it becomes law.

11 Section 3. Funds appropriated by S.L. 1997-443 to the Department of  
12 Health and Human Services and the Office of State Budget and Management for the  
13 Biometrics Recipient Identification System for the 1997-98 fiscal year shall not revert  
14 but shall remain available to the Department for this purpose.

15 Section 4. Section 3 of this act becomes effective June 30, 1998. The  
16 remainder of this act is effective upon becoming law.